

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
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CLERK'S OFFICE
AT BALTIMORE
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION

UNDER ARMOUR, INC.,

Plaintiff,

v.

BODY ARMOR NUTRITION, LLC.,

Defendant.

Civil Action No.
1:12-cv-01283-JKB

CONSENT MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Pursuant to Federal Rule of Civil Procedure 15(a), Plaintiff Under Armour, Inc. ("Under Armour") moves for leave to file its First Amended Complaint. A clean copy of the proposed First Amended Complaint and a redlined version of that Complaint showing the proposed changes are attached as Exhibits 1 and 2, respectively.

Under Armour seeks leave to amend its Complaint to add Defendant Body Armor Nutrition, LLC's ("Body Armor") Trademark Application Serial Nos. 85648962 and 85623477 for the infringing marks BODYARMOR and SUPERARMOR, which were filed after Under Armour's original Complaint was filed, and to add other new facts pertaining to Body Armor's unlawful activities. Under Armour's request for leave to amend is made by the October 15, 2012 deadline to amend pleadings set by the Court's Scheduling Order. Body Armor has consented to, and will not oppose, this Motion.

A party may amend its pleadings with the court's leave, and courts should "freely give leave when justice so requires." Fed. R. Civ. P. 15(a). "It is this Circuit's policy to liberally allow amendment in keeping with the spirit of Federal Rule of Civil Procedure 15(a)." *Galustian*